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Shigeki Matsunaga

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07/07/2009

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EXAMINER

HON, MING Y

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/541,809	<b>Applicant(s)</b> MATSUNAGA, SHIGEKI	
	<b>Examiner</b> MING HON	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 8 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's amendment filed on April 13, 2009 is acknowledged. Currently Claims 1-15 are pending.

Applicant's arguments with respect independent claims 1, 8, and 15 have been considered but are moot in view of the new ground(s) of rejection. Amended claims 1, 8, and 15 results in a different scope than that of the originally presented Claim 1, 8, and 15 respectively.

### ***Specification***

The disclosure is objected to because of the following informalities:

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takagi et al. US2003/0016387 hereinafter referred to as Takagi and in view of Shima USPN 7362457.**

**As per Claim 1**, Takagi teaches a printing device which is connected to a communication line, and which pulls print data to be printed by requesting, to a print data supply device, and obtaining the print data, said printing device comprising:

a printing instruction information receiving unit operable to receive the printing instruction information requested by said printing instruction information request unit; (Takagi, Paragraph[0034]-[0037] and Figure 3, Component S305, the print instruction must be able to received by the printer for it to initiate the process of getting print content data from the print content database)

a print data request unit operable to request, from the print data supply device, transmission of the print data to said printing device, based on the printing instruction information; (Takagi, Paragraph [0034], requests print data from designated server)

a print data receiving unit operable to receive the print data requested by said print data request unit; (Takagi, Paragraph [0034], receives print data from designated server to be printed)and

a printing unit operable to print the received print data according to the received printing instruction information. (Takagi, Figure 2, Component 205)

Takagi does not teach a print start instruction receiving unit operable to receive, from a printing instruction device, first location information indicating a storage location of printing instruction information and that printing of the print data should be started, the printing instruction information indicating, to the printing device, details of a printing instruction;

a printing instruction information request unit operable to request, from the printing instruction device, transmission of the printing instruction information indicated by the first location information received by said print start instruction receiving unit;

Shima teaches a print start instruction receiving unit operable to receive, from a printing instruction device, first location information indicating a storage location of printing instruction information and that printing of the print data should be started, the printing instruction

Art Unit: 2625

information indicating, to the printing device, details of a printing instruction; (Shima, Column 1, Lines 59-65, the printer is sent a job location information where print job is stored)

a printing instruction information request unit operable to request, from the printing instruction device, transmission of the printing instruction information indicated by the first location information received by said print start instruction receiving unit; (Shima, Column 1, Lines 59-67, the printer needs the job location information prior to retrieving the data because otherwise the printer does not know which apparatus or location to request it from.)

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Shima into Takagi. Takagi failed to teach a separate printing instruction device where the print instruction or job can be retrieved from. The print instruction device will allow multiple print jobs to be stored in a queue and then send to the printer when it is available. The print instruction device will be able to relieve the burden placed on Takagi and also allow multiple apparatuses and users to submit print instructions to be executed by the printer.

Therefore it would have been obvious to one of ordinary skill to combine the two references to obtain the invention in Claim 1.

**As per Claim 2**, Takagi in view of Shima teaches the printing device according to claim 1, wherein:

the printing instruction information includes second location information indicates a storage location of the print data, and said print data request unit is operable to request, from the print data supply device, transmission of the print data to said printing device, based on the second location information included in the printing instruction information. (Takagi, Paragraph [0034]-[0037], the url contains the location of the print data/content)

Analysis is analogous to that made in Claim 1.

**Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takagi et al. US2003/0016387 hereinafter referred to as Takagi and in view of Shima USPN 7362457 as applied to Claim 2 and further in view of Nagasaka US2003/0065718.**

**As per Claim 3**, Takagi in view of Shima teaches the printing device according to claim 2.

Takagi in view of Shima does not teach wherein: the printing instruction information includes print type specification information that indicates print type of the print data, and said printing unit is operable to print the print data based on the print type specification information included in the printing instruction information; However Nagasaka teaches it. (Nagasaka, Figure 5, user designate print type specification such as quality mode which is reflected in the printed data)

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Nagasaka into Takagi in view of Shima. Takagi teaches the ability for the user to initiate the print process but does not allow the user to insert their own personalized instructions that will be sent to communication portion to communicate with the server. Nagasaka teaches an intermediate step that will allow user to modify print instruction prior to sending it to print instruction information receiving unit.

Therefore it would have been obvious to one of ordinary skill to combine the three references to obtain the invention in Claim 3.

**As per Claim 4**, Takagi in view of Shima and Nagasaka teaches the printing device according to claim 3, wherein said printing instruction information request unit is operable to request, from the printing instruction device, transmission of the printing instruction information to said printing device, when said printing device is ready to execute the printing instruction information. (Shima, Abstract)

Analysis is analogous to that made in Claim 3.

**As per Claim 5**, Takagi in view of Shima and Nagasaka teaches the printing device according to claim 4, wherein the printing instruction device in which the printing instruction information is stored is different from the print data supply device in which the print data is stored, (Shima, Abstract and Takagi, Paragraph[0034]-[0037]; print instruction is located at a host computer while the print data/content is at the print data/content database) and said printing instruction information request unit is operable to identify the printing instruction device in which the printing instruction information is stored, based on the first location information received by said print start instruction receiving unit, and to request from the printing instruction device, transmission of the printing instruction information to said printing device. (Shima, Column 1, Lines 59-67)

Analysis is analogous to that made in Claim 4.

**As per Claim 6**, Takagi in view of Shima and Nagasaka teaches the printing device according to claim 5, wherein said print data request unit is operable to identify the print data supply device in which the print data is stored, based on the second location information included in the printing instruction information, and to request, from the print data supply device, transmission of the print data to said printing device. (Takagi, Paragraph [0034]-[0037], the url contains the location of the print data/content)

Analysis is analogous to that made in Claim 5.

**As per Claim 7**, Takagi in view of Shima and Nagasaka teaches the printing device according to claim 6, wherein said print data request unit is operable to request, from the print data supply device, transmission of the print data over the communication line. (Takagi, Figure 2, Component 231)

Analysis is analogous to that made in Claim 6.

**Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shima USPN 7362457 and further in view of Nagasaka US2003/0065718.**

**As per Claim 8**, Shima teaches a printing instruction device that transmits, to a printing device connected to said printing instruction device, a printing instruction to print print data, said printing instruction device comprising:

a printing instruction information generation unit operable to generate printing instruction information when the instruction indicating that the print data should be printed is accepted, the printing instruction information indicating, to the printing device, details of a printing instruction; (Shima, Abstract, the print job is sent through the network because the print job is to be printed by the printer)

a printing instruction information storage unit operable to hold the printing instruction information generated by the printing instruction information generation unit; a location information generation unit operable to generate first location information indicating a storage location of the printing instruction information and that printing of the print data should be started; (Shima, Column 1, Lines 59-65, the printer is sent a job location information where print job is stored. A job location must be generated for the printer to receive that information.)

a location information transmission unit operable to transmit the first location information to the printing device; (Shima, Column 1, Lines 59-67, the location is transmitted to the printing device from the server)

a transmission request receiving unit operable to receive, from the printing device, a request for transmission of the printing instruction information indicated by the first location information; and a printing instruction information transmission unit operable to transmit, to the printing device: the printing instruction information stored by the printing instruction information storage unit, in response to the request for transmission. (Shima, Column 1, Lines

Art Unit: 2625

59-67, the printer needs the job location information prior to retrieving the data because otherwise the printer does not know which apparatus or location to request it from.)

Shima does not teach printing instruction input unit operable to accept an instruction, inputted from a user, indicating that the print data should be printed; However Nagasaka teaches it. (Nagasaka, Paragraph[0040])

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Nagasaka into Shima. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Nagasaka into Shima. Shima teaches the ability for the user to initiate the print process but does not allow the user to insert their own personalized instructions that will be sent to communication portion to communicate with the server. Nagasaka teaches an intermediate step that will allow user to modify print instruction prior to sending it to print instruction information receiving unit.

Therefore it would have been obvious to one of ordinary skill to combine the two references to obtain the invention in Claim 8.

**Claims 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shima USPN 7362457 and further in view of Nagasaka US2003/0065718 as applied to Claim 8 and further in view of Takagi et al. US2003/0016387 hereinafter referred to as Takagi.**

**As per Claim 9**, Shima in view of Nagasaka teaches the printing instruction device according to claim 8,

Shima in view of Nagasaka does not teach wherein said printing instruction information generation unit further comprises:

a print data location information obtainment unit operable to obtain second location information indicating a storage location of the print data, wherein said printing instruction

Art Unit: 2625

information generation unit is operable to generate the printing instruction information that includes the second location information obtained from said print data location information obtainment unit, when the instruction indicating that the print data should be printed is accepted; However Takagi teaches it. (Takagi, Paragraph [0034]-[0037], the url contains the location of the print data/content and is in a print instruction)

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Takagi into Shima in view of Nagasaka. Shima in view of Nagasaka teaches the print data is not stored in a separate entity but in the print job. Shima states a reason why they send just the print job location to the printer because the print job with the print data has a big file size and may require sending the data in multiple pieces. This is inefficient. It will be more efficient to retrieve the print data from a separate database and send it through the network through a different terminal.

Therefore it would have been obvious to one of ordinary skill to combine the three references to obtain the invention in Claim 9.

**As per Claim 10**, Shima in view of Nagasaka and Takagi teaches the printing instruction device according to claim 9, wherein said print data location information obtainment unit is operable to receive the second location information of the print data from an external device. (Shima, Abstract and Takagi, Paragraph[0034]-[0037]; print instruction is located at a host computer while the print data/content is at the print data/content database)

Analysis is analogous to that made in Claim 9.

**As per Claim 11**, Shima in view of Nagasaka and Takagi teaches the printing instruction device according to claim 10, wherein said printing instruction input unit includes further comprises: a print type specification input unit operable to accept an-a specification, inputted from the user, indicating a print type of the print data; and (Nagasaka, Figure 5, user can specify the quality of the print job which is considered print type specification)

Art Unit: 2625

said printing instruction information generation unit further comprises: a print type specification information generation unit operable to generate print type specification information for specifying the print type, when the specification indicating the print type is accepted, wherein, said printing instruction information generation unit is operable to generate the printing instruction information that includes the print type specification information generated by said print type specification generation unit, when the instruction indicating that the print data should be printed is accepted. (Nagasaka, Figure 3, 5, and Paragraph[0040], user can specify the quality of the print job which is considered print type specification, information is gathered during preview then when user wants to print by giving an instruction to print, the job is generated to retrieve image data from server)

Analysis is analogous to that made in Claim 10.

**As per Claim 12**, Shima in view of Nagasaka and Takagi teaches the printing instruction device according to claim 11, wherein said printing instruction input unit further comprises: a printing instruction change unit operable to make a change in the printing instruction information that includes the print type specification information, based on an instruction inputted, to said printing instruction input unit, from the user (Nagasaka, Figure 5, user can change the print type specification. The print instructions are in default when the print preview comes up)

wherein said printing instruction change unit is operable to make a change in the printing instruction information stored in said printing instruction information storage unit, when the printing instruction information has not yet been transmitted to the printing device. (Nagasaka, Figure 3, user can change the print type specification until user decides to print that is when instruction is sent to printing device)

Analysis is analogous to that made in Claim 11.

**As per Claim 13**, Shima in view of Nagasaka and Takagi teaches the printing instruction device according to claim 12, wherein said printing instruction change unit is operable to make a change in the print type specification information included in the printing instruction information

Art Unit: 2625

stored in said printing instruction information storage unit. (Nagasaka, Figure 5, user can change the print type specification. The print instructions are in default when the print preview comes up)

Analysis is analogous to that made in Claim 12.

**As per Claim 14**, Shima in view of Nagasaka and Takagi teaches the printing instruction device according to claim 13, wherein said printing instruction information transmission unit is operable to transmit the printing instruction information after the change in the print type specification information is completed, when the request for transmission of the printing instruction information is received, by the printing instruction transmission unit, before the change in the print type specification information is completed. (Nagasaka, Figure 3, 5, and Paragraph[0040], user can specify the quality of the print job which is considered print type specification, information is gathered during preview then when user wants to print by giving an instruction to print, the job is generated to retrieve image data from server. When user specified print, the instruction is transmitted, user will select print the changes wanted are completed.)

Analysis is analogous to that made in Claim 13.

**Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shima USPN 7362457 and further in view of Nagasaka US2003/0065718 and further in view of Takagi et al. US2003/0016387 hereinafter referred to as Takagi.**

**As per Claim 15**, Shima teaches 15. (Currently Amended) A print system comprising a printing device and a printing instruction device, wherein said printing instruction device comprises:

Art Unit: 2625

a printing instruction information generation unit operable to generate printing instruction information when the instruction indicating that the print data should be printed is accepted, the printing instruction information indicating, to the printing device, details of a printing instruction (Shima, Abstract, the print job is sent through the network because the print job is to be printed by the printer)

a printing instruction information storage unit operable to hold the printing instruction information generated by the printing instruction information generation unit; (Shima, Column 1, Lines 59-65, the printer is sent job location information where print job is stored. A job location must be generated for the printer to receive that information.)

a location information generation unit operable to generate first location information indicating a storage location of the printing instruction information and that printing of the print data should be started; (Shima, Column 1, Lines 59-67, the location is transmitted to the printing device from the server)

a location information transmission unit operable to transmit the first location information generated by the location information generation unit to said printing device; (Shima, Column 1, Lines 59-67, the location is transmitted to the printing device from the server)

a transmission request receiving unit operable to receive, from said printing device, a request for transmission of the printing instruction information indicated by the first location information; and a printing instruction information transmission unit operable to transmit, to said printing device printing instruction information stored in a location indicated by the first location information, in response to the request for transmission, (Shima, Column 1, Lines 59-67, the printer needs the job location information prior to retrieving the data because otherwise the printer does not know which apparatus or location to request it from.)

a printing instruction information request unit operable to request, from the printing instruction device, transmission of the printing instruction information indicated by the first

Art Unit: 2625

location information received by said print start instruction receiving unit; (Shima, Column 1, Lines 59-65, the printer is sent a job location information where print job is stored)

a printing instruction information receiving unit operable to receive the printing instruction information requested by said printing instruction information request unit; (Shima, Column 1, Lines 59-67, the printer needs the job location information prior to retrieving the data because otherwise the printer does not know which apparatus or location to request it from.)

Shima does not teach a printing instruction input unit operable to accept an instruction, inputted from a user, indicating that print data should be printed; However Nagasaka teaches it. (Nagasaka, Paragraph[0040])

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Nagasaka into Shima. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Nagasaka into Shima. Shima teaches the ability for the user to initiate the print process but does not allow the user to insert their own personalized instructions that will be sent to communication portion to communicate with the server. Nagasaka teaches an intermediate step that will allow user to modify print instruction prior to sending it to print instruction information receiving unit.

Shima in view of Nagasaka does not teach wherein said printing device comprises: a print start instruction receiving unit operable to receive, from the printing instruction device first location information indicating the storage location of the printing instruction information and that printing of the print data, should be started;

a print data request unit operable to request, from a print data supply device, transmission of the print data to said printing device, based on the printing instruction information;

a print data receiving unit operable to receive the print data requested by said print data request unit;

and a printing unit operable to print the received print data according to printing instruction information received by the print data receiving unit.

Art Unit: 2625

Takagi teaches wherein said printing device comprises: a print start instruction receiving unit operable to receive, from the printing instruction device first location information indicating the storage location of the printing instruction information and that printing of the print data, should be started; (Takagi, Paragraph[0034]-[0037] and Figure 3, Component S305, the print instruction must be able to received by the printer for it to initiate the process of getting print content data from the print content database)

a print data request unit operable to request, from a print data supply device, transmission of the print data to said printing device, based on the printing instruction information; (Takagi, Paragraph [0034], requests print data from designated server)

a print data receiving unit operable to receive the print data requested by said print data request unit; (Takagi, Paragraph [0034], receives print data from designated server to be printed)

and a printing unit operable to print the received print data according to printing instruction information received by the print data receiving unit. (Takagi, Figure 2, Component 205)

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Takagi into Shima in view of Nagasaka. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of Takagi into Shima in view of Nagasaka. Shima in view of Nagasaka teaches the print data is not stored in a separate entity but in the print job. Shima states a reason why they send just the print job location to the printer because the print job with the print data has a big file size and may require sending the data in multiple pieces. This is inefficient. It will be more efficient to retrieve the print data from a separate database and send it through the network through a different terminal.

Therefore it would have been obvious to one of ordinary skill to combine the three references to obtain the invention in Claim 15.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MING HON whose telephone number is (571)270-5245. The examiner can normally be reached on Mon- Fri 7:30 to 5:00 EST; 1st Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark K. Zimmerman can be reached on (571)272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. H./

Examiner, Art Unit 2625

/Mark K Zimmerman/

Supervisory Patent Examiner, Art Unit 2625